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ATTORNEYS FOR DEFENDANTS  
TEK RESOURCES LLC, JAMES BAME, AND IPLA P.A.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

RALPH PETER JOHN HENRY, )  
ROCHARD, an individual; and CON )  
SMITH, an individual, )  
Plaintiffs, ) Case No. 2:23-cv-00194-ABJ  
vs. )  
ONE WORLD MESSENGER LLC, a )  
Wyoming Limited Liability Company; )  
TEK RESOURCES LLC, a Wyoming )  
Limited Liability Company, JAMES )  
EDWARD BAME, an individual; and )  
IPLA P.A., a California Professional )  
Association, )  
Defendants. )

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**DEFENDANTS' ANSWER TO PLAINTIFFS' SECOND AMENDED  
COMPLAINT**

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COMES NOW Defendants Tek Resources LLC (“Tek”), and James Edward Bame (“Bame”), (collectively, the “Defendants”) by and through counsel, Hathaway & Kunz, LLP, and hereby answer Plaintiffs’ Second Amended Complaint (Doc. 23), hereinafter, (Plaintiffs’ “Complaint”), as follows:

## **INTRODUCTION**

1. Defendants deny Paragraph 1 of Plaintiffs' Complaint.
2. Defendants deny Paragraph 2 of Plaintiffs' Complaint.
3. Defendants deny Paragraph 3 of Plaintiffs' Complaint.
4. Defendants deny Paragraph 4 of Plaintiffs' Complaint.
5. Defendants deny Paragraph 5 of Plaintiffs' Complaint.

## **PARTIES**

6. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 6 of Plaintiffs' Complaint, and therefore deny same.
7. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 7 of Plaintiffs' Complaint, and therefore deny same.
8. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 8 of Plaintiffs' Complaint, and therefore deny same.
9. Defendants admit Paragraph 9 of Plaintiffs' Complaint.
10. Defendants admit Paragraph 10 of Plaintiffs' Complaint.
11. Pursuant to the Court's *Order on Defendants' Motion to Dismiss Plaintiffs' second Amended Complaint* (Doc. 40) Defendant IPLA has been dismissed from this case, therefore, no response is necessary. If a response is warranted, Defendants deny the allegations contained in Paragraph 11 of Plaintiffs' Complaint.<sup>1</sup>

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<sup>1</sup> As to Footnote 1 within the introductory paragraph of Plaintiffs' Complaint, Defendants are without sufficient knowledge or information to admit or deny the allegations contained therein and therefore deny the same. As to Footnote 2 within Paragraph 11 of Plaintiffs' Complaint, Pursuant to the Court's Order on Defendants' Motion to Dismiss Plaintiffs' second Amended Complaint (Doc. 40) Defendant IPLA has been dismissed from this case, therefore, no response is necessary. If a response is warranted, Defendants deny the same.

12. Defendants admit Paragraph 12 of Plaintiffs' Complaint.
13. Defendants deny Paragraph 13 of Plaintiffs' Complaint.

#### **RELEVANT NON-PARTIES**

14. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 14 of Plaintiffs' Complaint, and therefore deny same.
15. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 15 of Plaintiffs' Complaint, and therefore deny same.

#### **JURISDICTION AND VENUE**

16. Defendants admit Paragraph 16 of Plaintiffs' Complaint.
17. Defendants admit Paragraph 17 of Plaintiffs' Complaint.
18. Defendants deny Paragraph 18 of Plaintiffs' Complaint.

#### **GENERAL ALLEGATIONS**

##### **The Agreement**

19. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 19 of Plaintiffs' Complaint, and therefore deny same.
20. Defendants state the document referenced in Paragraph 20 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 20 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied.
21. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 21 of Plaintiffs' Complaint, and therefore deny same.
22. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 22 of Plaintiffs' Complaint, and therefore deny same.

23. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 23 of Plaintiffs' Complaint, and therefore deny same.

24. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 24 of Plaintiffs' Complaint, and therefore deny same.

25. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 25 and the associated footnote, of Plaintiffs' Complaint, and therefore deny same.

26. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 26 of Plaintiffs' Complaint, and therefore deny same.

27. Defendants state the document referenced in Paragraph 27 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 27 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied.

28. Defendants state the document referenced in Paragraph 28 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 28 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied.

29. Defendants state the document referenced in Paragraph 29 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 29 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied.

30. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 30 of Plaintiffs' Complaint, and therefore deny same.

31. Defendants deny Paragraph 31 of Plaintiffs' Complaint.

32. Defendants deny Paragraph 32 of Plaintiffs' Complaint.

33. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 33 of Plaintiffs' Complaint, and therefore deny same.

34. Defendants state the document referenced in Paragraph 34 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 34 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied. As to the last sentence in Paragraph 34, Defendants deny the same.

35. Defendants state the document referenced in Paragraph 35 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 35 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied.

36. Defendants state the document referenced in Paragraph 36 and the associated footnote of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 36 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied.

37. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 37 of Plaintiffs' Complaint, and therefore deny same.

38. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 38 of Plaintiffs' Complaint, and therefore deny same.

39. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 39 of Plaintiffs' Complaint, and therefore deny same.

40. Defendants state the document referenced in Paragraph 40 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 40 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied.

**Default**

41. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 41 of Plaintiffs' Complaint, and therefore deny same.

42. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 42 of Plaintiffs' Complaint, and therefore deny same.

43. Defendants state the document referenced in Paragraph 43 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 43 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied.

44. Defendants deny Paragraph 44 of Plaintiffs' Complaint.

45. Defendants state the document referenced in Paragraph 45 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 45 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied.

46. Defendants state the document referenced in the first sentence of Paragraph 46 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in the first sentence of Paragraph 46 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in the last sentence of Paragraph 46 of Plaintiffs' Complaint, and therefore deny same.

47. Defendants deny Paragraph 47 of Plaintiffs' Complaint.

48. Defendants deny Paragraph 48 of Plaintiffs' Complaint.

49. Defendants state the document referenced in Paragraph 49 of Plaintiffs' Complaint speaks for itself. To the extent the allegations contained in Paragraph 49 incorrectly state or incompletely summarize the contents of the document referenced, those allegations are denied. As to the last sentence in Paragraph 49, Defendants deny the same.

50. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 50 of Plaintiffs' Complaint, and therefore deny same.

51. Defendants deny Paragraph 51 of Plaintiffs' Complaint.

**COUNT I**  
**Breach of Fiduciary Duty (Defendant TEK and Bame)**

52. Defendants incorporate their responses to Paragraphs 1 through 51 herein.

53. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 53 of Plaintiffs' Complaint, and therefore deny same.

54. Defendants deny Paragraph 54 of Plaintiffs' Complaint.

55. Defendants deny Paragraph 55 of Plaintiffs' Complaint.

56. Defendants deny Paragraph 56 of Plaintiffs' Complaint.

57. Defendants deny Paragraph 57 of Plaintiffs' Complaint.

58. Defendants deny Paragraph 58 of Plaintiffs' Complaint.

Defendants deny that Plaintiffs are entitled to any of the requested relief. To the extent that any of the foregoing represents a factual allegation requiring response, Defendants deny such allegations.

**COUNT II**  
**Fraud (Defendant One World)**

59. Defendants incorporate their responses to Paragraphs 1 through 58 herein.

60. The allegations contained in Paragraphs 60 - 65 of Plaintiffs' Complaint do not pertain to Defendants Tek and Bame. Therefore, no response is required. To the extent a response is required, Defendants Tek and Bame are without knowledge as to any other defendants, and therefore deny same.

Defendants deny that Plaintiffs are entitled to any of the requested relief. To the extent that any of the foregoing represents a factual allegation requiring response, Defendants deny such allegations.

**COUNT III**  
**Aiding and Abetting Fraud (Defendant TEK and Bame)**

66. Defendants incorporate their responses to Paragraphs 1 through 65 herein.
67. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 67 of Plaintiffs' Complaint, and therefore deny same.
68. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 68 of Plaintiffs' Complaint, and therefore deny same.
69. Defendants deny Paragraph 69 of Plaintiffs' Complaint.
70. Defendants deny Paragraph 70 of Plaintiffs' Complaint.
71. Defendants deny Paragraph 71 of Plaintiffs' Complaint.
72. Defendants deny Paragraph 72 of Plaintiffs' Complaint.
73. Defendants deny Paragraph 73 of Plaintiffs' Complaint.
74. Defendants deny Paragraph 74 of Plaintiffs' Complaint.
75. Defendants deny Paragraph 75 of Plaintiffs' Complaint.

Defendants deny that Plaintiffs are entitled to any of the requested relief. To the extent that any of the foregoing represents a factual allegation requiring response, Defendants deny such allegations.

**COUNT IV**  
**Civil Conspiracy (Defendants One World, TEK and Bame)**

76. Defendants incorporate their responses to Paragraphs 1 through 75 herein.

77. Defendants are without sufficient information to form a belief as to the truth of the allegations contained in Paragraph 77 of Plaintiffs' Complaint, and therefore deny same.

78. Defendants deny Paragraph 78 of Plaintiffs' Complaint.

79. Defendants deny Paragraph 79 of Plaintiffs' Complaint.

80. Defendants deny Paragraph 80 of Plaintiffs' Complaint.

81. Defendants deny Paragraph 81 of Plaintiffs' Complaint.

Defendants deny that Plaintiffs are entitled to any of the requested relief. To the extent that any of the foregoing represents a factual allegation requiring response, Defendants deny such allegations.

**COUNT V**  
**Negligent Misrepresentation (Defendants TEK and Bame)**

82. Defendants incorporate their responses to Paragraphs 1 through 81 herein.

83. The allegations contained in Paragraph 83 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

84. The allegations contained in Paragraph 84 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

85. The allegations contained in Paragraph 85 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

86. The allegations contained in Paragraph 86 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

87. The allegations contained in Paragraph 87 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

88. The allegations contained in Paragraph 88 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

Defendants deny that Plaintiffs are entitled to any of the requested relief. To the extent that any of the foregoing represents a factual allegation requiring response, Defendants deny such allegations.

**COUNT VI**  
**Unjust Enrichment (Defendants One World, TEK and Bame)**

89. Defendants incorporate their responses to Paragraphs 1 through 88 herein.

90. The allegations contained in Paragraph 90 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

91. The allegations contained in Paragraph 91 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

92. The allegations contained in Paragraph 92 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

93. The allegations contained in Paragraph 93 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

94. The allegations contained in Paragraph 94 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

95. The allegations contained in Paragraph 95 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

96. The allegations contained in Paragraph 96 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

Defendants deny that Plaintiffs are entitled to any of the requested relief. To the extent that any of the foregoing represents a factual allegation requiring response, Defendants deny such allegations.

**COUNT VII**  
**Negligent Supervision (Defendant IPLA)**

97. Defendants incorporate their responses to Paragraphs 1 through 96 herein.

98. The allegations contained in Paragraph 98 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

99. The allegations contained in Paragraph 99 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

100. The allegations contained in Paragraph 100 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

101. The allegations contained in Paragraph 101 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

102. The allegations contained in Paragraph 102 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

103. The allegations contained in Paragraph 103 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

104. The allegations contained in Paragraph 104 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

105. The allegations contained in Paragraph 105 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

106. The allegations contained in Paragraph 106 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

107. The allegations contained in Paragraph 107 of Plaintiffs' Complaint, were dismissed by the Court's Order (Doc. 40) Therefore, Defendants deny the same.

Defendants deny that Plaintiffs are entitled to any of the requested relief. To the extent that any of the foregoing represents a factual allegation requiring response, Defendants deny such allegations. Answering further, Defendants deny each and every allegation in the *Second Amended Complaint* that is not specifically admitted above.

### **AFFIRMATIVE DEFENSES**

Defendants Tek Resources LLC (“Tek”), and James Edward Bame (“Bame”), (collectively, the “Defendants”) and for their Affirmative Defenses to Plaintiffs’ *Second Amended Complaint* state and allege as follows:

1. Plaintiffs’ *Second Amended Complaint* fails to state one or more claims upon which relief can be granted.
2. Plaintiffs’ claims are barred, in whole or in part, under the doctrines of selective enforcement and unclean hands.
3. Plaintiffs’ claims are barred, in whole or in part, by the applicable statutes of limitation.
4. Plaintiffs’ claims are barred, in whole or in part, by the doctrine of laches.
5. Plaintiffs’ claims are barred or limited, in whole or in part, due to their failure to sue the real parties in interest.
6. Defendants assert all defenses that are applicable under Fed. R. Civ.Pro. 8(c).
7. Plaintiffs’ *Second Amended Complaint* fails to include an indispensable party.
8. Defendants reserve the right to supplement and amend their *Affirmative Defenses* as they become known through discovery and further reserves the right to assert all available defenses under Wyoming Law.

**WHEREFORE**, Defendants pray that the *Second Amended Complaint* against them be dismissed, Plaintiffs take nothing by way of their *Second Amended Complaint*, Defendants recover costs and expenses incurred herein, and for such other further relief as this Court deems is just and proper.

**DATED** this 15<sup>th</sup> day of April, 2025.

TEK RESOURCES LLC, JAMES EDWARD  
BAME, AND IPLA P.A., DEFENDANTS

By: /s/ Lucas Buckley

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ATTORNEYS FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

This is to certify that on the 15<sup>th</sup> day of April, 2025, a true and correct copy of the foregoing was served upon counsel as follows:

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